

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/523,804
Applicant : LEE et al.
Filed : February 9, 2005
TC/A.U. : 1793
Examiner : Timothy C. Vanoy
Confirmation No. : 6175

Docket No. : 1751-373
Customer No. : 6449

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT 37 CFR § 1.705(b)

Sir:

This application for patent term adjustment is being timely submitted on January 22, 2008, which is after the mailing of Notice of Allowance on November 20, 2007 and before the payment of the Issue Fee due February 20, 2008.

STATEMENT OF THE FACTS

1. The Miscellaneous Action mailed on October 2, 2006: The U.S. Patent & Trademark Office (PTO) requested all of the references listed on the Information Disclosure Statement ("IDS") filed on February 9, 2005. Applicants were given one month from the date of the notice.
2. The IDS filed on November 2, 2006: Copies of all documents listed in the February 9, 2005 IDS were submitted to the PTO except for a copy of a reference entitled "Mesoporous Alumina Molecular Sieves" by Stephen Bagshaw, which Applicant was not able to obtain. Applicant stated the relevance of this reference was listed in the International Search Report submitted to the International Bureau with corresponding application PCT/KR2002/001951.

3. 35 U.S.C. § 154(b)(1)(A)(ii): This rule guarantees prompt PTO responses with respect to responding to replies within four (4) months after the date a reply was filed.

CORRECT PATENT TERM ADJUSTMENT

The U.S. Patent Office ("the PTO") deducted a total of 67 days from USPTO Delay days. Applicants respectfully request the positive adjustment (addition) of 67 days to be applied back to the Patent Term.

RELEVANT DATES

A Miscellaneous Communication to Applicant was mailed on October 2, 2006. In response to the Miscellaneous Communication, Applicant either submitted references or listed the relevance of un-submitted references on November 2, 2006. However, pursuant to 35 U.S.C. § 154(b)(1)(A)(ii), Applicant is entitled to a communication from the PTO within four (4) months of the submission of the references pursuant to the Miscellaneous Communication to Applicant mailed October 2, 2006. Since the references were submitted on November 2, 2006, four months from this date would be March 2, 2007. The Non-Final Office Action mailed on May 8, 2007 exceeds the four month date, March 2, 2007, by 67 days. Since the PTO reduced the patent term adjustment of the present case by 67 days, Applicants respectfully request that 67 days be added to the patent term as a result of the Non-Final Office Action being mailed 67 days after March 2, 2007.

TERMINAL DISCLAIMER STATEMENT

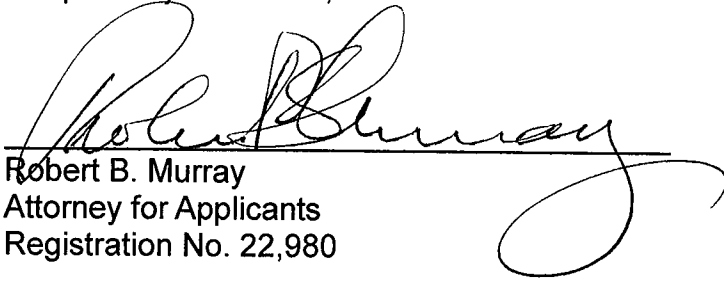
The subject application is not subject to a Terminal Disclaimer.

FEE

The fee set forth in § 1.18(e) is submitted herewith. If any additional fee is required in connection with this submission, please charge the cost thereof to Deposit Account No. 02-2135.

Respectfully submitted,

By



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